

THE HONOURABLE SRI JUSTICE V.ESWARAIAH

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WRIT PETITION No :8246 of 2007

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DATED:03-07-2007

BETWEEN:

Jayaprakash Shukla & another.

..... PETITIONER

AND

The Director General of Police,
Government of A.P.,
Lakdikapul,
Hyderabad & 3 others.

.....RESPONDENTS

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ORDER:

Heard learned counsel appearing for the petitioners as well as the learned Government Pleader for Home appearing for the respondents.

2. Petitioners seek a writ of mandamus declaring the action of the 3rd respondent in calling the petitioners to the police station to settle a civil dispute, illegal, and arbitrary.

3. It is the case of the petitioners that they have executed an agreement of sale in respect of the joint family property in Sy.No.967, Beramguda, Aminpur village, Patancheru mandal, Medak District in favour of the 4th respondent and others and in respect of some other survey numbers one Jalandhar has executed sale deeds in favour of the 4th respondent, but both the said transactions are different and distinct. It appears some disputes arose between the said Jalandhar and the 4th respondent and in that connection 4th respondent approached the petitioners to hand over certain documents relating to the said Jalandhar but the petitioners stated that they do not have any such document relating to the said Jalandhar and thereafter 4th respondent approached the 3rd respondent-Station House Officer, Ramachandrapuram, and the 3rd respondent, without any

justification whatsoever, called the petitioners to the police station several times and threatened them with dire consequences if they do not hand over the said link documents pertaining to the said plots in Sy.No.967. It is stated that the petitioners got issued a legal notice, dated

04-04-2007, to the 1st respondent-Director General of Police, and 2nd respondent-Superintendent of Police, Medak marking a copy to the 3rd respondent-Station House Officer, Ramachandrapuram calling upon the Inspector of Police, Ramachandrapuram not to interfere with the civil disputes pertaining to the petitioners and not to call them to the police station in order to settle the civil disputes.

4. It is stated that *in spite* of the said legal notice 3rd respondent again called the petitioners to the police station on 10-04-2007 and 11-04-2007 and threatened them to do whatever they want to do but they will do away with their lives if they do not hand over the said link documents to the 4th respondent. Hence, the present Writ Petition.

5. Counter has been filed by the 3rd respondent stating that the 4th respondent lodged a complaint on 26-04-2007 i.e., after filing the Writ Petition which was filed on 18-04-2007 stating that the petitioners sold certain plots in the said survey number and in that connection Cr.No.146 of 2006 was registered under Sections 419 and 420 IPC on 26-04-2007. The other allegation that the police called the

petitioners to police station on 10-04-2007 and 11-04-2007 was denied.

6. I am of the opinion that with a view to interfere with the civil disputes and to settle the civil disputes only 4th respondent appears to have filed a complaint based on which the said crime has been registered against the real owners. Therefore, it appears there is some truth in the allegation of the petitioners.

7. Having regard to the facts and circumstances, the Superintendent of Police, Medak is directed to conduct a detailed enquiry with regard to the representation, dated 04-04-2007, made by the petitioners and take appropriate action against the concerned official as well as the unofficial respondents.

8. Accordingly, the Writ Petition is disposed of. No order as to costs.

V.ESWARAIAH,J

03rd July, 2007.

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